

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD R. SCOTT,

Plaintiff,

v.

DEPARTMENT OF CORRECTIONS, *et al.*,

Defendant.

Case No. C06-5614DB

ORDER DISMISSING
COMPLAINT WITHOUT
PREJUDICE

The Magistrate Judge recommends that the Plaintiff's Motion for Voluntary dismissal be granted in this matter, as Plaintiff states that he wishes to pursue the issues in another case, and no other party has appeared in this case.

Approximately two weeks after the Report and Recommendation was filed, Plaintiff moved for a stay of this matter, asserting that he is unable to make copies of documents. This motion will be denied, as the dismissal will be without prejudice.

The Court, having reviewed plaintiff's motion to dismiss his complaint, the Report and Recommendation of Judge J. Kelley Arnold, United States Magistrate Judge, and the remaining record, does hereby find and ORDER.

(1) The Court adopts the Report and Recommendation.

(2) Plaintiff's motion (Dkt. #6) is GRANTED and the causes of action are DISMISSED without prejudice.

(3) Plaintiff's motion (Dkt. # 9) for Stay is DENIED;

(4) The Clerk is directed to send copies of this Order to plaintiff and to the Hon. J. Kelley Arnold.

DATED this 27th day of November 2006.



FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE